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**State of New Jersey**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**DIVISION OF WASTE MANAGEMENT**  
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6/3/83

**M E M O R A N D U M**

**TO:** Assistant Commissioner Tyler  
**FROM:** Lino F. Pereira  
**SUBJECT:** Bayonne Sanitary Landfill Closure  
City of Bayonne, Hudson County,  
Facility Registration Number 0901A

The Department issued a Closure Order to the City of Bayonne on April 8, 1981, requiring the closure of Bayonne Sanitary Landfill by December 31, 1981. This Closure Order was predicated on the fact that solid waste had been filled at the site in excess of the elevations of the engineering design of record.

On July 27, 1981 representatives of the City of Bayonne and the Department met to resolve problems associated with closure of Bayonne Sanitary Landfill. As a result of this meeting, the City of Bayonne was issued an Administrative Consent Order which called for Bayonne Sanitary Landfill to cease acceptance of waste by December 31, 1982. This Administrative Consent Order was signed by the city attorney on December 24, 1981.

On November 30, 1982, a meeting was held in your office with the City of Bayonne, whereby they requested an extension of the December 31, 1982 date to cease accepting wastes. This meeting resulted in an Amended Administrative Consent Order signed by Mayor Collins on December 23, 1982. The Amended Order allowed Bayonne Sanitary Landfill to accept wastes until April 30, 1983. Bayonne was also required to submit a closure and/or expansion plan for the landfill by March 31, 1983. A Closure Plan for Bayonne Sanitary Landfill was received by the Department on March 31, 1983 and was approved on May 9, 1983. Approval of the Closure Plan allows Bayonne to accept waste until June 30, 1983 in order to fill low areas of the landfill to facilitate runoff and prevent ponding of water. Bayonne is also required to apply final cover on the landfill by September 30, 1983; with seeding to occur in the Fall of 1983.

The City of Bayonne has also proposed to incorporate sludge as part of the final cover requirements for Bayonne Sanitary Landfill. A pre-application conference was held with representatives of the Division of Water Resources and the City of Bayonne to discuss sludge application requirements. To date, no formal Land Application Permit has been received.

On May 23, 1983 a meeting was held in New York City office of the Corps of Engineers to discuss dredging of navigation channels surrounding the Military Ocean Terminal in Bayonne, New Jersey. In attendance, were representatives of the Corps of Engineers, Port Authority, Malcolm Pirnie Engineering Consultants, DEP Divisions of Waste Management and Water Resources, and James Sweeney of the City of Bayonne.

One of the topics of discussion was a proposal by the Corps of Engineers and the City of Bayonne to use dredge material as cover for the Bayonne Sanitary Landfill. It was explained that Bayonne is under order to cease acceptance of waste on June 30, 1983; with final cover to be applied by September 30, 1983. The proposed dredge project is to take place in early 1984. Therefore, Bayonne would need another time extension for closure of the landfill in order to benefit from the dredge proposal. This extension would be in addition to the time extensions previously granted and referenced above.

It should also be mentioned that Bayonne Sanitary Landfill has never received Engineering Design Approval for their landfill operation. Bayonne Sanitary Landfill has been operating without the benefit of an approved engineering design. The Department has been trying to close or approve the landfill operation in an environmentally sound manner for many years. It would be unfortunate if this goal was jeopardized.

During our meeting with the Corps of Engineers it was explained that dredge samples would have to undergo an E.P. Toxicity Test to determine the proper classification of the dredge material. In the past, most dredge materials have been classified as ID #27 (non-chemical industrial) waste. This classification would require dredge material deposited at Bayonne Sanitary Landfill to be covered with final cover. The proposal for dredge disposal at Bayonne was planned to be as a final cover. Using dredge material as a final cover would require a policy change by the Department unclassifying it as a waste material; along with extensive chemical and physical testing of the dredge to determine it's suitability as a final cover material.

Also, if Bayonne Sanitary Landfill were to accept dredge material classified as a waste, it is our understanding that they would be liable for the appropriate taxes required by the Sanitary Facility Closure and Contingency Fund Act and the Recycling Act for a total of \$0.57 per cubic yard of dredge.

It is anticipated that the City of Bayonne will contact either you or the Commissioner to discuss the dredge proposal and its implications. If you have any questions concerning this proposal, please contact Edward J. Londres at 2-6724.

L. F. P. 